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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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7   UNITED STATES OF AMERICA,   Case No. 2:16-cr-00258-JCM-PAL

8   Plaintiff,   ORDER

9   v.   (Mot for Relief – ECF No. 30)

10   LARRY MURPHY,   (Emg Mot re Counsel – ECF No. 31)

11   Defendant.

12   Before the court is Defendant Larry Murphy's: (1) Motion for Relief (ECF No. 30), and

13   (2) Emergency Motion Re: Judicial Misconduct and Ineffective Assistance of Counsel (ECF No.

14   31). The motions were filed by Mr. Murphy rather than his counsel. At a hearing conducted on

15   March 31, 2017 the court granted an Ex Parte Motion filed by the Federal Public Defender's Office

16   to withdraw as counsel for Mr. Murphy, and granted Mr. Murphy's request for substitute counsel.

17   Attorney Lance Maningo was appointed.

18   Pursuant to Local Rule IA 11-6(a):

19   A party who has appeared by attorney cannot while so represented appear or act in
     this case. This means that once an attorney makes an appearance on behalf of a
20   party, that party may not personally file a document with the court; all filings
     thereafter must be made by the attorney. An attorney who has appeared for a party
21   must be recognized by the court and all other parties as having control of the client's
     case, however, the court may hear a party in open court even though the party is
22   represented by an attorney.

23   The court addressed Mr. Murphy's concerns about the effectiveness of his attorney at

24   length in a sealed ex parte hearing conducted on January 26, 2017. After appointing Mr. Maningo

25   as substitute counsel the court directed that the Clerk of Court provide Mr. Maningo with a copy

26   of the sealed transcript of that hearing so that he could address Mr. Murphy's concerns.

27   Having reviewed and considered the matters,

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1   **IT IS ORDERED** that to the extent either of Mr. Murphy's motions seek relief other than

2 relieving the Federal Public Defender's Office as counsel of record and appointment of substitute

3 counsel, the motions are **DENIED.**

4   DATED this 27th day of March, 2017.

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6   PEGGY A. LEEN

7   UNITED STATES MAGISTRATE JUDGE

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